

## Message Text

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44

ORIGIN L-03

INFO OCT-01 ARA-16 IO-14 ISO-00 SSO-00 NSCE-00 USIE-00

INRE-00 OMB-01 TAR-02 SP-03 SWF-02 AGR-20 AID-20

CIAE-00 COME-00 EB-11 INR-10 LAB-06 NSAE-00 OIC-04

RSC-01 SIL-01 STR-08 TRSE-00 CIEP-02 CEA-02 AF-10

EA-11 EUR-25 NEA-14 SS-20 NSC-07 PA-04 PRS-01 SCI-06

INT-08 DLOS-07 COA-02 ACDA-19 /261 R

DRAFTED BY L:MFELDMAN:BJ

APPROVED BY EB/OT/GCP:JEO'MAHONY

EB/OIA:BBROOKENS

ARA/MEX:RKING

IO/CMD :AYODER

TREASURY:NJACKLIN (INFO)

COMMERCE: DBLACK(SUBS)

----- 026800

O R 252140Z JUN 74

FM SECSTATE WASHDC

TO AMEMBASSY MEXICO IMMEDIATE

INFO USMISSION USUN NEW YORK

USMISSION GENEVA

AMEMBASSY CARACAS

LIMITED OFFICIAL USE STATE 136597

E.O. 11652: N/A

TAGS:EGEN, UNCTAD

SUBJECT: UNCTAD:CERDS: PERMANENT SOVEREIGNTY, NATIONALIZA-  
TION AND TNC'S.

REF: MEXICO 5339

1. IN ADDITION TO THE PROBLEMS IN THE CAULFIELD TEXT  
NOTED PARA. 3 REFTTEL, WE WOULD RAISE THE FOLLOWING ISSUES:  
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(A) THE LANGUAGE "WHETHER ON LAND, IN THE SEA, SEA-BED OR SUBSOIL THEREOF" IN PARA. 1 SHOULD BE DELETED. THE QUESTION OF THE EXTENT OF NATIONAL JURISDICTION OVER THESE AREAS AND THE SCOPE OF NATIONAL AUTHORITY WITHIN SUCH JURISDICTION IS ONE OF THE CENTRAL ISSUES PRESENTLY UNDER DISCUSSION AT THE LOS CONFERENCE IN CARACAS. WE ARE CONCERNED THAT THIS LANGUAGE MIGHT PREJUDICE U.S. POSITIONS WITH RESPECT TO LIMITATIONS ON NATIONAL AUTHORITY WITH RESPECT TO RESOURCES OF THE WATER COLUMN AND THE SEABED BEYOND THE TERRITORIAL SEA.

(B) IN PARA. 3, WE WOULD PREFER "SUPERVISE" FOR "CONTROL" AND WOULD PREFER "NON-DISCRIMINATION" IN LIEU OF "TREAT FOREIGN INVESTORS EQUALLY" TO AVOID NEGATIVE IMPLICATIONS RE NATIONAL TREATMENT.

(C) IN PARA. 4, WE WOULD PREFER TO TERMINATE THE FIRST SENTENCE AFTER "REGULATIONS" TO AVOID ANY POSSIBLE

IMPLICATION THAT HOST GOVERNMENTS CAN TAKE MEASURES OUTSIDE THEIR LEGAL FRAMEWORK TO SANCTION POLITICAL ACTIONS BY MNCs. OTHER APPROPRIATE REFERENCE CAN BE MADE TO HOST GOVERNMENT POLICIES AND TO NON-INTERVENTION IN INTERNAL AFFAIRS. SISCO

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AGREEMENT DRAFT, SOVEREIGNTY, SEABED, COMMITTEE MEETINGS, FOREIGN POLICY POSITION  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 25 JUN 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** CollinP0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974STATE136597  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** MFELDMAN:BJ  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D740167-0419  
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**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1974/newtext/t19740615/aaaaamfk.tel  
**Line Count:** 85  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** MEXICO 5339  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** CollinP0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 17 JUN 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <17 JUN 2002 by kelleyw0>; APPROVED <24 FEB 2003 by CollinP0>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** UNCTAD:CERDS: PERMANENT SOVEREIGNTY, NATIONALIZATION AND TNC'S.  
**TAGS:** EGEN, US, UNCTAD  
**To:** MEXICO  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005